

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE
AND TRIBAL LIAISON



ARCHIVES DIVISION

STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

OSMB 3-2023

CHAPTER 250

OREGON STATE MARINE BOARD

FILED

08/08/2023 12:06 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Temporary boating restriction on Green Peter Reservoir in Linn County, OR

EFFECTIVE DATE: 08/08/2023 THROUGH 08/25/2023

AGENCY APPROVED DATE: 08/08/2023

CONTACT: Jennifer Cooper

503-378-2617

jennifer.cooper@boat.oregon.gov

435 Commercial St NE, Suite 400 Salem

Salem, OR 97301

Filed By:

Jennifer Cooper

Rules Coordinator

NEED FOR THE RULE(S):

The U.S. Forest Service is currently conducting efforts to suppress fires in the area affected by this temporary rule. The fire suppression crews and partner agencies including the Linn County Sheriff's Office have indicated that boaters in the vicinity of the fires are making transportation of water from the river to the fires difficult. This temporary rule is necessary so that the fire suppression crews are able to work effectively and so that boaters are not endangered by the suppression activities.

JUSTIFICATION OF TEMPORARY FILING:

Without this temporary rule, fire crews may be less efficient in their work to mitigate the impacts of these fires, which may lead to additional destruction of forest and to private and public property. If boaters are allowed to continue to access and occupy this waterbody, they may risk being in harm's way due to fire suppression activities. By temporarily restricting boating, boaters will be protected, and fire crews can proceed with their work unhindered.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Emails between the Linn County Sheriff's Office and Oregon State Marine Board available at Oregon State Marine Board dated August 8, 2023

AMEND: 250-020-0240

RULE SUMMARY: Boating is temporarily restricted on Green Peter Reservoir in Linn County due to fire and fire suppression activities in the area.

CHANGES TO RULE:

250-020-0240

Boat Operations in Linn County ¶

(1) Big Cliff Reservoir: A person must not operate a boat in the area between the debris boom and the dam.¶

(2) Big Lake: A person must not operate a motorboat in excess of a slow-no wake speed within 200 feet of the

shore.¶¶

(3) Carmen Reservoir: A person must not use a motor to propel a boat.¶¶

(4) Cheadle Lake: A person must not use an internal combustion engine to propel a boat.¶¶

(5) Detroit Reservoir:¶¶

(a) A person must not operate a boat for the purpose of towed watersports within 200 feet of shore and must operate in a counterclockwise pattern around the lake.¶¶

(b) A person must not operate a boat behind anyone being towed closer than 300 feet nor cross the towing boat's bow less than 200 feet nor alongside the towed person(s) closer than 100 feet.¶¶

(c) A person must not operate a boat in the area between the debris boom and the dam.¶¶

(d) A person must not operate a motorboat in excess of a slow-no wake speed in the following areas:¶¶

(A) Within 200 feet of shore;¶¶

(B) Within 600 feet of the northwest shore of Piety Knob;¶¶

(C) In the Brienbush Arm and Breitenbush River upstream of a point approximately 2000 feet downstream of the Highway 22 bridge, as marked;¶¶

(D) In the North Santiam River above a point 1,100 feet northwest of Hoover Rock, as marked.¶¶

(6) Foster Reservoir:¶¶

(a) A person must not operate a boat for the purpose of towed watersports within 200 feet of shore and must operate in a counterclockwise pattern around the lake.¶¶

(b) A person must not operate a boat behind anyone being towed closer than 300 feet nor cross the towing boat's bow less than 200 feet nor alongside the towed person(s) closer than 100 feet.¶¶

(c) A person must not operate a boat in the area between the debris boom and the dam.¶¶

(d) A person must not operate a motorboat in excess of a slow-no wake speed in the following areas:¶¶

(A) Within 200 feet of shore;¶¶

(B) Upstream from the highway bridge crossing the South Santiam Arm;¶¶

(C) Upstream from the highway bridge crossing the Middle Santiam Arm;¶¶

(D) Within the posted area surrounding the Lewis Creek County Park.¶¶

(7) Freeway Lakes (East, West, and Middle): A person must not operate a motorboat in excess of 10 MPH.¶¶

(8) Green Peter Reservoir:¶¶

(a) A person must not operate a boat for the purpose of towed watersports within 200 feet of shore and must operate in a counterclockwise pattern around the lake.¶¶

(b) A person must not operate a boat behind anyone being towed closer than 300 feet nor cross the towing boat's bow less than 200 feet nor alongside the towed person(s) closer than 100 feet.¶¶

(c) A person must not operate a boat in the area between the debris boom and the dam.¶¶

(d) A person must not operate a motorboat in excess of 10 MPH in the following areas:¶¶

(A) Within 200 feet of shore, except for within the Quartzville Arm downstream of Rocky Top Bridge;¶¶

(B) Within the Quartzville Creek Arm upstream from Rocky Top Bridge;¶¶

(C) Within the Green Peter Creek Arm, as marked;¶¶

(D) Within the Whitcomb Creek Arm upstream from the highway bridge;¶¶

(E) Within the Middle Fork Santiam River Arm upstream from a point one mile below the Weyerhauser Bridge;¶¶

(F) Within the Tally Creek Arm upstream from the Weyerhauser Bridge;¶¶

(G) Within the Rumbaugh Creek Arm as marked.¶¶

(9) Lake Ann: A person must not use a motor to propel a boat.¶¶

(10) Lost Lake: A person must not operate a motorboat in excess of 10 MPH.¶¶

(11) Smith Reservoir: A person must not operate a motorboat in excess of 10 MPH.¶¶

(12) South Santiam River: A person must not use a jet pump drive to propel a boat upstream of the Lebanon Dam (approximate RM 21).¶¶

(13) Trail Bridge Reservoir: A person must not operate a motorboat in excess of 10 MPH.¶¶

(14) A person must not operate a boat on any portion of Green Peter Reservoir due to fire and fire suppression activities. This temporary restriction is in place until August 25, 2023 unless it is rescinded prior to that date.

Statutory/Other Authority: ORS 830.110, ORS 830.175

Statutes/Other Implemented: ORS 830.110, ORS 830.175, ORS 830.195